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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 DANIEL W. DANCER,)
09 Plaintiff,) CASE NO. C10-918-RSL
10 v.)
11 VICKI SCHUMAKER, *et al.*,) ORDER OF DISMISSAL
12 Defendants.)
13 _____)

14 The Court, having reviewed the Report and Recommendation of United States
15 Magistrate Judge James P. Donohue, the governing law, and the balance of the record, does
16 hereby find and ORDER:

- 17 (1) The Report and Recommendation is ADOPTED;
18 (2) Defendant's motion for summary judgment (Dkt. 25) is construed in relevant
19 part as a motion to dismiss and is GRANTED;
20 (3) This matter is DISMISSED without prejudice for failure to exhaust
21 administrative remedies as required by 42 U.S.C. § 1997e(a); and
22

(4) The Clerk of Court is directed to send copies of this Order to plaintiff and to
Magistrate Judge James P. Donohue.

DATED this 2nd day of November, 2011.

A handwritten signature in black ink, appearing to read "R S Lasnik", written over a horizontal line.

Robert S. Lasnik
United States District Judge